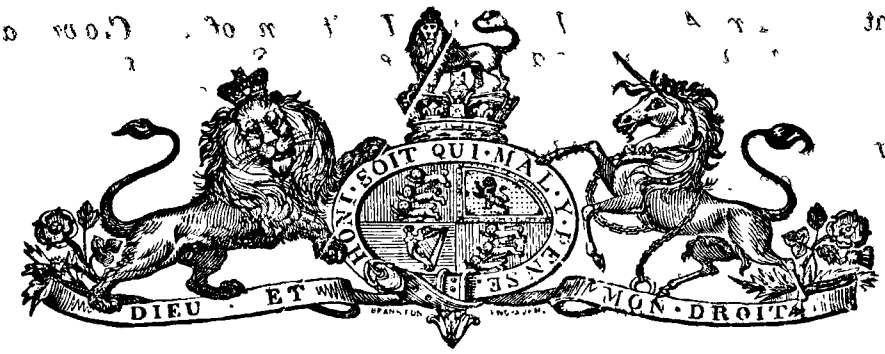


ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

CAP. LIII.

An Act for vacating any Presentment for rebuilding the Gaol of *Newgate* in *Dublin*, and vacating any Contract between the Commissioners for rebuilding the said Gaol and the Contractor.

[4th *August* 1840,]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland: And whereas in consequence of the Report of the Inspectors General of Prisons in *Ireland* it is inexpedient to incur the Expence of rebuilding the Gaol of *Newgate* in the City of *Dublin*, as originally proposed in consequence of the said Act: And whereas it is expedient to make void any Presentment that may have been made in pursuance of the said Act by the Grand Jury of the County of the City of *Dublin* for the rebuilding of the Gaol of *Newgate* in the City of *Dublin*, save as to any Instalments already collected of any Sum presented for that Purpose, and also to make void any Contract which may have been entered into for the rebuilding of the said Gaol; and it is also just and expedient to provide for the Payment of any Sum which, under any Arbitration entered into between the Commissioners appointed by the Grand 7 G. 4. c. 74.

Jury of the said County of the City of *Dublin* for the rebuilding of the said Gaol, and the Contractor who may have contracted with the said Commissioners for rebuilding the same, shall be awarded to such Contractor as Compensation for any Losses sustained by him by reason of such Contract not being carried into effect: And whereas certain Sums of Money may, under the Provisions of the said Act, have been paid by the Treasurer of the County of the City of *Dublin* to the Collector of Excise of the *Dublin* District; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any such Presentment which may have been heretofore made by any Grand Jury for the County of the City of *Dublin* of any Sum of Money for or towards the rebuilding of the said Gaol, and any Contract entered into between such Commissioners and any Person for rebuilding the said Gaol of *Newgate*, and all Contracts and Agreements between the said Parties relating thereto, shall be and the same are hereby declared to be absolutely null and void to all Intents and Purposes whatever.

Any Presentments made for rebuilding the Gaol of Newgate, and all Contracts for rebuilding, declared void.

II. And be it enacted, That the Award to be made by any Arbitrators or Umpire, under any Submission to Arbitration entered into between the said Commissioners or the Crown Solicitor in *Dublin* and such Contractor for determining the Amount of such Compensation as aforesaid, shall be final and conclusive between the said Commissioners and the said Grand Jury and such Contractor, to all Intents and Purposes whatever; and that when and so soon as the said Arbitrators or Umpire shall have made their or his said Award, to be given under their several and respective Hands and Seals, and that the same shall be communicated to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being to cause to be paid to the said Contractor, out of any Monies that shall have been paid to the Collector of Excise of the *Dublin* District, for or on account of any Instalments of any Presentment heretofore made for rebuilding the said Gaol of *Newgate*, so much as shall be equivalent to the Sum awarded to the said Contractor for such Compensation as aforesaid, in case the said Monies shall be sufficient for that Purpose; and in case there shall be any Surplus that the said Commissioners of Her Majesty's Treasury shall cause such Surplus to be paid over to the Treasurer of the Public Money for the County of the City of *Dublin*, for the Use of the said County of the City of *Dublin*; and in case the Sum so awarded to the said Contractor shall exceed the Amount of all the Instalments then paid to the Collector of Excise for the said *Dublin* District for and on account of the said Presentment, that the whole Amount of the said Instalments shall be paid over by the said Commissioners of Her Majesty's Treasury to the said Contractor, in part Discharge of the Amount of said Award; and the Balance of such Amount so awarded shall, on the Certificate of the Secretary or Under Secretary of the Lord Lieutenant ascertaining the same, at some Presenting Term after such Award shall be made, be raised by Presentment to be made by the Grand

Compensation awarded to Contractor to be paid, under the Direction of the Commissioners of the Treasury, out of the Amount of Presentments heretofore made;

and any Surplus to be paid over to the Treasurer of the County of the City of Dublin, and any Deficiency to be supplied by Grand Jury Presentment.

Grand Jury of the said County of the City of *Dublin* off the said County of the City of *Dublin*, in like Manner as the Amounts of Grand Jury Presentments are now raised by any Act now in force for the raising of Grand Jury Presentments in the County of the City of *Dublin*.

If the Grand Jury refuse to present for ascertained Balance, the Court empowered so to do.

III. And be it enacted, That in case the Grand Jury of the County of the City of *Dublin* at such Presenting Term as aforesaid shall neglect, decline, or refuse duly to present the said Balance so ascertained as aforesaid, the Court at such Presenting Term at which such Certificate shall be laid before such Grand Jury may and shall make an Order, directing the Sum which ought to have been so presented to be raised and levied as if the same had been so presented, and such Order shall have the Force and Effect of a Presentment, and the Treasurer of the County of the City of *Dublin* shall insert the Sum mentioned in such Order in his Warrant, and the same shall be applotted, raised, levied, and applied in like Manner, to all Intents and Purposes, as if the same had been duly presented by such Grand Jury.

Act may be altered this Session.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1840.